

18 USC 925A: Remedy for erroneous denial of firearm

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From Title 18-CRIMES AND CRIMINAL PROCEDURE

PART I-CRIMES

CHAPTER 44-FIREARMS

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§925A. Remedy for erroneous denial of firearm

Any person denied a firearm pursuant to subsection (s) or (t) of section 922-

(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act; or

(2) who was not prohibited from receipt of a firearm pursuant to subsection (g) or (n) of section 922,

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case may be, for an order directing that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.

(Added Pub. L. 103–159, [title I](#), [§104\(a\)](#), [Nov. 30, 1993](#), 107 Stat. 1543 .)

EDITORIAL NOTES**REFERENCES IN TEXT**

Section 103 of the Brady Handgun Violence Prevention Act, referred to in par. (1), is section 103 of Pub. L. 103–159, which is classified to section 40901 of Title 34, Crime Control and Law Enforcement.